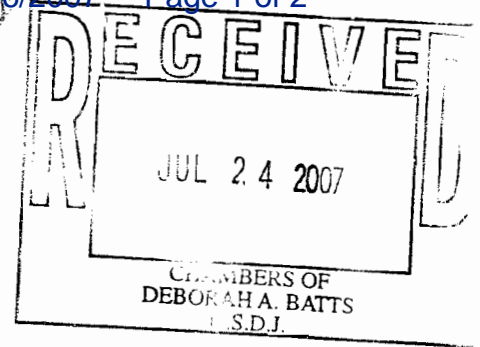


MEMO ENDORSED



MICHAEL A. CARDOZO
Corporation Counsel

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NEW YORK, NY 10007

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July 23, 2007

VIA HAND DELIVERY

The Honorable Deborah A. Batts
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Nandalall v. The City of New York et al.
07 Civ. 6257(DAB)

Dear Judge Batts:

I am the Senior Counsel with the Office of the Corporation Counsel assigned to the defense in the above-referenced matter in which plaintiff alleges that she was sexually assaulted by a member of the New York City Police Department. Defendant City of New York respectfully requests that its time to respond to the complaint be extended for sixty days from the current due date of July 30, 2007 until September 28, 2007. I have attempted to speak with plaintiff's counsel about this request but have been unable to do so. Therefore, this request is made without plaintiff's consent.

There are several reasons for seeking an enlargement of time. In accordance with this office's obligations under Rule 11 of the Federal Rules of Civil Procedure, defendant City needs this additional time to investigate the allegations of the complaint. Plaintiff alleges that the officer who allegedly assaulted plaintiff was disciplined for that very conduct. Therefore, this office must first look into whether in fact there was or was not any disciplinary action as a result of this incident, which may influence representational issues. Moreover, upon information and belief, that officer has not been served with the summons and complaint. This extension should provide time for plaintiff to serve that individual defendant and for this office to properly investigate plaintiff's allegations and make a representational decision with respect to the individual defendant. See *Mercurio v. The City of New York et al.*, 758 F.2d 862, 864-65 (2d Cir. 1985) (quoting *Williams v. City of New York et al.*, 64 N.Y.2d 800, 486 N.Y.S.2d 918 (1985) (decision whether to represent individual defendants is made by the Corporation Counsel as set forth in state law)).

MEMO ENDORSED

MEMO ENDORSED

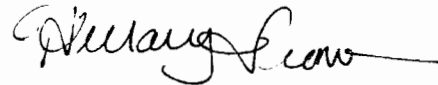
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s, DAB
7/26/2007

MEMO ENDORSED

Accordingly, we respectfully request that defendant City's time to answer or otherwise respond to the complaint be extended to September 28, 2007.

Thank you for your consideration in this matter.

Respectfully submitted,

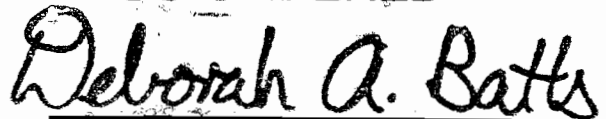


Hillary A. Frommer (HF 9286)
Senior Counsel

cc: Jonathan Moore, Esq. (via facsimile)

MEMO ENDORSED

SO ORDERED



DEBORAH A. BATTS
UNITED STATES DISTRICT JUDGE

7/26/2007

MEMO ENDORSED